

1 Q You don't know?

2 A I can't recall.

3 Q Well --

4 A It was -- it was --

5 Q Well, estimate for me. You do estimates every day.

6 Estimate for me.

7 A Fifty. Sixty people.

8 Q And out of that group of 50 or 60 people, how many
9 of them were Mr. Leonardo's friends?

10 A There was a few of them. Because I heard voices
11 yelling at him to knock it off. Let him go. There
12 was comments, "Let him go. We'll take him. Please
13 don't arrest him. We'll take him home."

14 Q And that happened inside the bar?

15 A Yes, sir.

16 Q It wasn't Ms. Dias that said that?

17 A No. Absolutely not.

18 Q Okay. And you're sure about that?

19 A Yes, sir.

20 Q Mr. Leonardo didn't kick you?

21 A I don't recall if he did. No. If he kicked me, he
22 would have been charged. No.

23 Q What did you charge Mr. Leonardo with?

24 A Resistin' arrest. Assault and battery on a Police

1 Q Okay.

2 A You said read. I didn't read it, because I didn't
3 get a copy.

4 Q I just want to make sure you remember being there.

5 A Yes, sir.

6 Q Now, did the kicks that you received inside the bar
7 leave any marks on your body?

8 A I can't recall.

9 Q You don't remember if -- if somebody kicked you and
10 it left a mark?

11 A I went to the hospital. They documented all my
12 injuries.

13 Q What I'm asking you is if you have any memory of
14 where -- where these kicks would have landed.

15 A I remember from my recollection -- what I remember,
16 I remember gettin' punched in the back of the head
17 and kicked while we were tryna restrain Kevin
18 Leonardo inside Duval's.

19 Q Okay. And you also remember having been punched in
20 the mouth?

21 A I seen Kevin punch me in the mouth. Then there was
22 a second male, which I heard was one of his friends,
23 tryna stop us from -- like I stated, they were
24 yelling, "Don't arrest him. We'll take him. We'll

1 take him out of here. He's our friend." While I --
2 myself and Officer Smith was tryna restrain
3 Leonardo, I was kicked and punched.

4 Q Okay. How big a cut did you have on your lip?

5 A I don't recall the -- the size of it.

6 Q Was it visible?

7 A No. It was inside. When you get punched --

8 Q Okay. And did they treat you for that at
9 Saint Anne's?

10 A Yes. They did.

11 Q What did they give you for that injury?

12 A I think Tylenol.

13 Q Okay. So you had an injury to your face --

14 A Yes, sir.

15 Q -- which was a cut in the inside of your lip. And
16 you were kicked and punched in various places, but
17 didn't sustain any noticeable injuries because of
18 that.

19 A I had a lump in the back of my head, sir.

20 Q Okay. So was it visible?

21 A I don't know. I can't see in the back of my head.

22 Q All right. But that's it?

23 A Whatever the doctor -- whatever the medical report
24 states, sir. I don't -- I can't recall.

1 Q I'm asking you where you were injured on that --
2 during that altercation.

3 A And I think I tried to say several times, Brian,
4 whatever's on the medical report is what happened.
5 They documented all my injuries. I can't recall any
6 more than what I just testified to --

7 Q Okay.

8 A -- of my injuries.

9 Q Now, did you make any effort to apprehend the people
10 that had kicked you?

11 A Couldn't. We were tryna keep Kevin Leonardo
12 restrained.

13 Q Did you see what they looked like?

14 A No. The one -- the one guy that I think punched me
15 in the back of the head, if I seen him again, I
16 could identify him; but that's it.

17 Q And have you ever identified him since?

18 A No, sir.

19 Q Did you look through mug books?

20 A Yes, sir.

21 Q How many?

22 A Pretty much all the -- all the computer-generated
23 ones.

24 Q Can you tell me a -- give me a description of what

1 Q Can you give me the -- your best estimate of when
2 you first noticed Ken White's physical presence at
3 the scene and sort of in relationship to when he was
4 arrested, in relationship to when Officer Gouveia
5 arrived on the scene?

6 A He was right there behind us with the crowd of
7 people. He was -- he was -- he was right behind
8 me.

9 Q In relationship to the cruisers arriving, when is
10 the -- the length of time you first noticed
11 Mr. White's presence?

12 A Once I was able -- able to cuff Mandy with whoever
13 this Officer was and she was escorted off,
14 immediately right after that point.

15 Q Maybe I may have -- maybe I'm not making myself
16 clear. When did you first observe Mr. White's
17 presence, his physical presence in relationship to
18 when the cruisers arrived? Was it an hour before
19 the cruisers arrived or five minutes before the
20 cruisers arrived when you first noticed Mr. -- or
21 was it after Mr. Gouveia arrived?

22 A No. It was -- he was there while the cruisers were
23 pullin' up.

24 Q Did you see him earlier than that?